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6 Attorneys for Plaintiffs Johnny and Anna Johnson;
7 Rudy and Diana Johnson

8
9 **UNITED STATES DISTRICT COURT**
10 **FOR THE DISTRICT OF ARIZONA**

11 Johnny Johnson and Anna Johnson, husband
12 and wife; Rudy Johnson and Diana Johnson,
13 husband and wife,

14 Plaintiffs,

15 v.

16 Defined Benefit Plan of Bill Johnson's
17 Restaurants, Inc.; Bill Johnson's
18 Restaurants, Inc., an Arizona Corporation;
19 Harrell Dean Cameron and John Doe
20 Cameron, husband and wife; Sherry Novak
21 and John Doe Novak, wife and husband;
22 Sherry Cameron and John Doe Cameron,
wife and husband; and Robert A. Royal and
Jane Doe Royal,

Defendants.

No. CV11-1605-PHX-GMS
NOTICE OF DISMISSAL

23 Plaintiffs Johnny and Anna Johnson, and Rudy and Diana Johnson, respectfully file this
24 Notice of Dismissal pursuant to Rule 41(a)(1), Federal Rules of Civil Procedure, dismissing
25 its Complaint without prejudice. This motion is supported by the following memorandum of
26 points and authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

23 Plaintiff filed its complaint on July 22, 2011 in Superior Court of the State of Arizona
24 in Maricopa County. Bill Johnson's Restaurant, Inc. filed for bankruptcy protection after this
25 case was filed and then one of the Defendants filed to remove this case from state court to

1 federal court. No party has filed an answer nor a motion for summary judgment.

2 RESPECTFULLY SUBMITTED this 23rd day of August, 2011.

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4 **MAYNARD CRONIN ERICKSON
CURRAN & REITER, P.L.C.**

5 By /s/Daniel D. Maynard
6 Daniel D. Maynard
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Attorneys for Plaintiffs Johnny and Anna
Johnson; Rudy and Diana Johnson

8 **ORIGINAL** of the foregoing e-filed this 23rd day of August, 2011, with:

9 Clerk of the Court
10 United States District Court
11 401 W. Washington
12 Phoenix, AZ 85003

13 **COPY** of the foregoing electronically delivered this 23rd day of August, 2011, to:

14 Honorable G. Murray Snow
United States District Court
401 W. Washington
Phoenix, AZ 85003

15 John P. Flynn, Esq.
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16 By /s/Stacey Tanner

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